

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

JURIAH JORDAN RONCAL,

Plaintiff,

v.

CIVIL ACTION NO. 2:18-cv-01311

DUNBAR POLICE DEPARTMENT, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

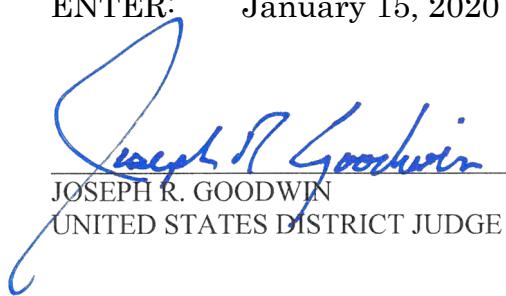
This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 9, 2019, Magistrate Judge Tinsley submitted the Proposed Findings of Fact and Recommendation [ECF No. 22] (“PF&R”), recommending the court dismiss this matter for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and deny without prejudice the defendants’ pending Motion to Dismiss [ECF No. 9] and Motions for Summary Judgment [ECF Nos. 17 and 19]. To date, no objections to Magistrate Judge Tinsley’s PF&R have been filed, and the time period for the filing of objections has passed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. For the reasons stated, the court **DISMISSES** this matter for failure to prosecute,

pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and **DENIES** without prejudice the defendants' pending Motion to Dismiss [ECF No. 9] and Motions for Summary Judgment [ECF Nos. 17 and 19].

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: January 15, 2020



JOSEPH R. GOODWIN

UNITED STATES DISTRICT JUDGE